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OFFICE OF PETITIONS

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WASHINGTON DC 20005-3096

In re Application of :
Allen, et al. :
Application No. 10/796,403 : DECISION ON PETITION
Filed: March 8, 2004 :
Attorney Docket No. 50108-181 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed February 25, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned August 17, 2007 for failure to timely submit a proper reply to the non-final Office action mailed May 16, 2007. The non-final Office action set a three month shortened statutory period of time for reply. No petition for extension of time was timely submitted. This decision precedes Notice of Abandonment. While petitioners assert non-receipt of the non-final Office action, no evidence to this effect has been provided. See, MPEP 711.03(c).

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioners have supplied (1) the reply in the form of a reply to the non-final Office action, (2) the required petition fee, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3205.

This application is being referred to Technology Center AU 2174 for appropriate action by the Examiner in the normal course of business on the reply received February 25, 2008.

Alesia M. Brown
Petitions Attorney
Office of Petitions